

Memorandum

Date: December 1, 2000

Telephone: (916) 654-4678

ATSS

To : Robert Laurie, Presiding Member
Art Rosenfeld, Associate Member

: **California Energy Commission - Kevin Kennedy**
1516 Ninth Street Energy Commission Project Manager
Sacramento, CA 95814-5512

Subject : UNITED GOLDEN GATE STATUS REPORT #1 – December 1, 2000

Since the November 16, 2000 United Golden Gate Power Project (UGGPP) Informational Hearing and Site Visit, staff has conducted a data request workshop and begun work on the Staff Assessment.

El Paso Merchant Energy (El Paso) has requested an extension on the due date for responses to staff's data requests due to delays in receiving information from other parties needed for the responses. El Paso plans to submit most responses to most of staff's data requests electronically to me on December 4, 2000, and to formally file those responses on December 6, 2000. El Paso plans to file the remaining data responses by December 15, 2000.

Because of the delay in responding to data requests, El Paso is willing to accept an extension of the four-month schedule by two weeks. This project is being considered under the expedited certification process of Section 25552 of the Public Resources Code. This section requires the Commission to issue its final decision "within four months from the date on which it deems the application or amendment complete, or at any later time mutually agreed upon by the commission and the applicant, provided that the thermal powerplant and related facilities remain likely to be in service before or during August 2001" (Pub. Resources Code, §25552(c)). El Paso has indicated that this delay will not affect its ability to bring UGGPP online by August 2001. Staff believes that this extension is necessary, and has included a revised proposed schedule with this status report.

Significant Issues: At the Informational Hearing on November 16, significant issues were identified in these technical areas: air quality, land use, and environmental justice. Prior to the hearing, staff data requests were submitted to El Paso in air quality, cultural resources, geology and paleontology, land use, noise, project description, soil and water resources, transmission system engineering, and visual resources. Pending data responses, staff has no new information on *air quality*. El Paso requires information from the Bay Area Air Quality Management District (BAAQMD) to complete its cumulative air quality impact analysis (Data Request #25). BAAQMD completed compiling this information on November 30, and El Paso should receive the information today. Staff is proceeding with the portions of its air quality analysis that do not depend on data responses.

Staff is proceeding with its independent analysis of possible *environmental justice* issues, and currently has nothing new to report on this issue.

Staff is also awaiting key information that is expected in the data responses on *land use* issues, including information on the applicability of the Subdivision Map Act and on the project's consistency with the policies and plans of the San Francisco Bay Conservation and Development Commission. Staff has determined that the lease for the project site, which is still being negotiated, will be a key document in determining consistency of the project with local land use planning laws, ordinances, regulations and standards. Staff is proceeding with the portions of its land use analysis that do not depend on data responses.

Community and Agency Interest: The public agencies who have thus far expressed an active interest in Phase I of the UGGPP by attending the Informational Hearing and data request workshop are: the City and County of San Francisco, the San Francisco Airport Commission, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission. To date, this project has not aroused significant public interest.

Schedule: As noted above, El Paso has agreed to slip the deadline for certifying the project beyond the four-month deadline to March 7, 2001, due to the delay in responding to data requests. Staff recommends that the Committee accept this revised deadline, consistent with Section 25552(c) of the Public Resources Code.

Staff has attached a proposed schedule for the project based on this new final deadline for certification. Staff's ability to meet this revised schedule depends on receiving most data responses from El Paso by December 6, 2000, and on receiving the final responses no later than December 15, 2000.

BAAQMD plans to file the Preliminary Determination of Compliance (PDOC) on December 22, 2000. This deadline will allow staff sufficient time to complete the Staff Assessment as indicated in the revised schedule.

Staff's Proposed Schedule (revised Dec. 1, 2000)

<u>Day</u>	<u>Date</u>	<u>Activity</u>
0	Oct. 25	Energy Commission determines the application is complete
14	Nov. 8	Staff files Data Requests
19	Nov. 13	Staff files Issue Identification Report
22	Nov. 16	Information Hearing & Site Visit Data request workshop
23	Nov. 17	Committee determines whether application qualifies for four month certification process under Public Resources Code §25552
42	Dec. 6	Applicant files most Data Responses
42	Dec. 6	Energy Commission considers Committee recommendation for qualification under the four month certification process
51	Dec. 15	Applicant files final Data Responses
58	Dec. 22	Air District Preliminary Determination of Compliance (PDOC) Draft agency comments and recommendations
78	Jan. 11	Staff files Staff Assessment
93	Jan. 26	Hearing
100	Feb. 2	Air District Final Determination of Compliance (FDOC) Agency final comments and recommendations
103	Feb. 5	Presiding Members Proposed Decision (PMPD), based on PDOC
121	Feb. 23	Hearing on PMPD, FDOC, and final agency comments
132	Mar. 6	End of public comment period
133	Mar. 7	Energy Commission Decision

cc: 00-AFC-05 Proof of Service
Kenneth Lim, BAAQMD
Leslie Lacko, BCDC